



PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Filing Receipt Corrections, Office of Initial Patent Examination, Commissioner for Patents, Washington, DC 20231.

February 10, 2003
Date

Lola H. Kemp
Lola H. Kemp

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David P. Wilkinson et al.
Application No. : 10/072,813
Filed : February 8, 2002
For : ELECTROCHEMICAL FUEL CELL WITH AN ELECTRODE
HAVING AN IN-PLANE NONUNIFORM STRUCTURE
Art Unit : 1745
Docket No. : 130109.447C1
Date : February 10, 2003

Filing Receipt Corrections
Office of Initial Patent Examination
Commissioner for Patents
Washington, DC 20231

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents:

Attached is a copy of the official Filing Receipt received from the PTO in the above-identified application, for which issuance of a corrected Filing Receipt is respectfully requested.

There is an error with respect to the following data, which is incorrectly entered.
There is an error in the priority data, which should read:

This application is a CON of 09/198,323 11/24/1998 ABN

Priority to Application No. 08/520, 333 was specifically disclaimed in Applicants' Preliminary Amendment filed June 6, 2002 (copy attached; see page 8, highlighted second paragraph). The correction to be made has been marked in red on the enclosed copy of the Filing Receipt. A new Supplemental Application Data Sheet reflecting the correct priority is enclosed.

Respectfully submitted,
David P. Wilkinson et al.
Seed Intellectual Property Law Group PLLC


Karl R. Hermanns
Registration No. 33,507

KRH:lhk

Enclosures:

Postcard
Form PTO/SB/21
Copy of Filing Receipt
701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031

D:\130109.447C1\355484_1.DOC



Rec'd
FILE COPY
LHS

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0034
PTO/SB/21 (08-00)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(To be used for all correspondence
after initial filing)

Application Number	10/072,813
Filing Date	February 8, 2002
First Named Inventor	David P. Wilkinson
Group Art Unit	1745
Examiner Name	
Attorney Docket No.	130109.447C1

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> Drawing(s) <input checked="" type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD(s), Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <u>Copy of Preliminary Amendment filed June 6, 2002</u> <u>Copy of Filing Receipt with corrections noted</u> <u>Supplemental Application Data Sheet</u>
--	--	--

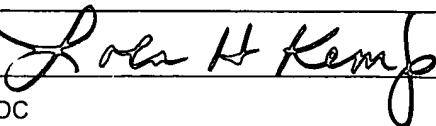
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Karl R. Hermanns	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	February 10, 2003	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Filing Receipt Corrections, Office of Initial Patent Examination, Commissioner for Patents, Washington, D.C. 20231 on the date specified below.

Typed or printed name	Lola H. Kemp	
Signature		Date: February 10, 2003

COPY



UNITED STATES
PATENT AND
TRADEMARK OFFICE

KRL

Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/072,813	02/08/2002	1745	1122	130109.447C1	7	13	6

CONFIRMATION NO. 3578

00500
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 6300
SEATTLE, WA 98104-7092



UPDATED FILING RECEIPT



OC000000009400762

Date Mailed: 01/22/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

David P. Wilkinson, North Vancouver, CANADA;
Peter R. Gibb, Coquitlam, CANADA;

Assignment For Published Patent Application

Ballard Power Systems Inc., Burnaby, CANADA;

Domestic Priority data as claimed by applicant

This application is a CON of 09/198,323 11/24/1998 ABN

~~which is a CIP of 08/520,333 08/28/1995 ABN~~

Foreign Applications

If Required, Foreign Filing License Granted: 03/06/2002

Projected Publication Date: 05/01/2003

Non-Publication Request: No

Early Publication Request: No

Title

RECEIVED

JAN 27 2003

SEED INTELLECTUAL PROPERTY
LAW GROUP PLLC

Electrochemical fuel cell with an electrode having an in-plane nonuniform structure

Preliminary Class

429

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).